

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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KENNETH TYSON,

Plaintiff,

-v-

9:17-CV-874  
(DNH/DEP)

VASILE JL, LT; and T. COMPO, C.O.,

Defendants.

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APPEARANCES:

OF COUNSEL:

KENNETH TYSON  
Plaintiff, pro se  
15-A-2954  
Elmira Correctional Facility  
P.O. Box 500  
Elmira, NY 14902

BARBARA D. UNDERWOOD  
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Attorney for Defendants  
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TIMOTHY P. MULVEY, ESQ.  
Assistant Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Kenneth Tyson brought this civil rights action pursuant to 42 U.S.C. § 1983. On August 6, 2018, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion for summary judgment

be granted and the complaint be dismissed. No objections to the Report-Recommendation were filed.

Based upon a careful review of the Report-Recommendation, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

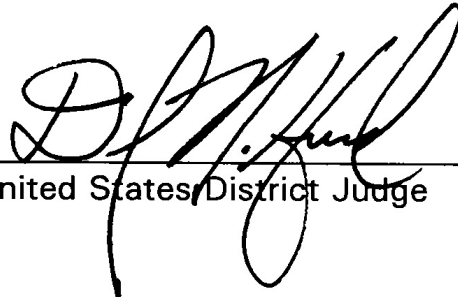
Therefore, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED; and
2. Plaintiff's complaint is DISMISSED in its entirety.

The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: September 11, 2018  
Utica, New York.